

VIETNAM: CITIZENS DETAINED FOR PEACEFUL EXPRESSION

June 11, 1991

Vietnam continues to arrest and imprison its citizens for peacefully expressing views not sanctioned by official policy or for practicing religion outside official religious associations. This report contains information on 47 such persons, many of whom have serious medical problems and many of whom have been detained without trial. Most of those on the list were arrested between 1989 and 1991. The list is by no means comprehensive and, with one exception, does not include those persons associated with South Vietnam's military and government who have been held in labor camps for "reeducation" since 1975.¹

Recent arrests took place against the backdrop of the unprecedented public debate brought on by the upcoming Party Congress, scheduled for mid-June 1991. In preparation for the Congress, Communist Party leaders invited comment from all sectors of society on proposed political and economic platforms. A flood of criticism spilled forth, much of it from veteran Party loyalists such as retired colonel Bui Tin, who left Hanoi for Paris in late 1990, and Nguyen Khac Vien, one of Vietnam's most prominent official historians and editors.² The degree to which divergent views were circulated and aired reflected the gradual liberalizing of controls under *doi moi*, or Vietnam's "renovation" policy. Party hard-liners retaliated by launching a press campaign against their critics and initiating a series of highly publicized arrests.

The most recent was that of Duong Thu Huong, a well-known modern author and former Party member who was arrested on April 14 on the charge of trying to send critical writings abroad. A Vietnamese doctor with U.S. citizenship, Bui Duy Tam, had been detained on March 30, 1991, in conjunction with her case, also on charges of bringing in and taking out documents "detrimental to national security." He was expelled from Vietnam on May 31. According to Vietnamese authorities, he suffered "a light cerebral hemorrhage" during his two months' detention but was otherwise in good health.

Interior Minister Mai Chi Tho accused Duong Thu Huong and Bui Tin of aiding an overseas campaign to "destroy" Vietnam in an interview published in Vietnamese journal *Great Solidarity* on April 30, 1991.³ In the same interview, he described two U.S. citizens who were expelled last year, businessmen Michael Morrow and Mennonite teacher Miriam Herschberger, as "spies," and justified the continued detention since 1975 of over one hundred persons associated with the South Vietnamese government.

Another news article, reportedly published in a Vietnam (where all publications are controlled by the state), called for the immediate trial of six persons arrested for their association with Michael Morrow, an American business consultant who was detained for two weeks in Vietnam between April and May 1990. Although Asia Watch has been unable to definitively authenticate this article, we believe there is a high likelihood it is genuine as it recounts events

¹ Following the end of the war in 1975, members of the South Vietnamese government and military were summoned for "reeducation," which for many became an indefinite prison sentence. In the 1980s, Vietnam released thousands of camp detainees, but by its own admission continues to hold over 100 persons detained from this period.

² See "Higher Criticism" by Murray Hiebert, *Far Eastern Economic Review*, May 2, 1991, p. 17; "Editor's Letter Indicated a Growing Rift at Highest Levels of Vietnamese Party," by Nayan Chanda, *Asian Wall Street Journal*, March 11, 1991, p. 1, and "A Dramatic Reversal," by Bui Tin, *Far Eastern Economic Review*, March 14, 1991, p. 15.

³ Reuters, "Vietnam Official Defends Holding 100 in Reeducation Camps," April 30, 1991.

and details that would be known only to the public security authorities or those detainees it describes. The reported article indicates that the number of persons arrested in the Morrow affair is far greater than originally thought. Those named are accused of assisting Morrow and other purported "spies" in transmitting information about Vietnam abroad. Although these persons have been detained over a year, there is no evidence they have been put on trial or given access to legal counsel.

Arrest and imprisonment for trying to send writings or information out of Vietnam is not a new phenomenon. Nguyen Chi Thien, an internationally recognized poet, has spent over half his life in Vietnam's prisons, his most recent detention without trial dating from 1979 when he gave a collection of poems to a diplomat for publication abroad. Tran Vong Quoc was sentenced on December 31, 1988 (a day before Vietnam's criminal procedure laws went into effect), to a 12-year jail term for trying to give information to international human rights organizations.

More recently, the renowned writer and political analyst, Le Van Tien, was rearrested on December 20, 1990, after serving 13 years in labor camps. One accusation against him was writing a column that was published in an overseas Vietnamese newspaper. His arrest was preceded by the detention of a number of other writers and intellectuals of the pre-1975 era.

Although freedom to worship has been tolerated to a greater extent under the "renovation" policy, the authorities still tightly control the ordination and activities of clergy of all faiths. Religious leaders have been arrested in the last three years for preaching sermons deemed critical of the Party or for working outside state-sanctioned associations.

Such detentions violate the right to freedom of expression as guaranteed by Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Vietnam acceded in 1982. They also violate Articles 67 and 68 of Vietnam's own 1980 constitution, which guarantees freedom of expression, assembly and religion, albeit so long as these freedoms do not "violate state laws or policies." At the same time, Vietnam criminalizes certain forms of peaceful expression and association in its 1986 Criminal Code, including:

- "supplying information and documents which are not state secrets so that they can be used by a foreign country against the Socialist Republic of Vietnam" (Article 74:1c);
- "anti-socialist propaganda" (Article 82);
- "separating religious followers from the people's government and social organizations" (Article 81:1c).

On paper, a detainee has many rights in Vietnam under the 1989 Law on Criminal Procedures, an important product of the "renovation" policy. Significant among these is the right not to be deemed guilty or punished except by a court judgment that has taken legal effect (Article 10). This provision is an elaboration of the guarantee in the Criminal Code that only offenses enumerated therein are a basis for criminal liability, for which any penalty must be determined by a court. Other crucial rights are time limits on pretrial detention, the right for a lawyer to be present during the interrogation of the accused, the prohibition of nighttime interrogation except when delay is "impossible," the right of the accused to be informed of the charges brought against him or her, a ban on coercion and corporeal punishment, and the presumption of innocence (Articles 71, 97, 36:2, 107:2, 38:2, 5 and 10).

These rights are frequently ignored in the case of political detainees. Father Chan Tin and Nguyen Ngoc Lan were "sentenced" without trial, not by a court but by the People's Committee of Ho Chi Minh City, to house arrest for

purported violations of the Criminal Code. Doan Thanh Liem and Do Ngoc Long, both of whom were detained over a year ago in conjunction with the arrest of U.S. businessman Mike Morrow, are still held without charge or access to legal counsel. According to Asia Watch sources, they have been subjected to interrogation at night and pressure to confess to their "crimes". Although other prisoners listed here have received summary trials,⁴ most have been held in labor camps without trial or court-imposed judgment.

Asia Watch has requested comment from the Vietnamese government on many of the cases contained in this report, but to date no response has been forthcoming. Of particular concern are reports of the deteriorating health of some prisoners. These include Doan Thanh Liem, who reportedly has weakened markedly since his arrest one year ago; Le Van Tien, a 70-year-old with a serious heart condition; Tran Vong Quoc, whose numerous ailments have never been diagnosed; Dr. Nguyen Dan Que, who suffers from bleeding ulcers; the Buddhist monk Thich Duc Nhuan, who is asthmatic with a hemorrhaging stomach ulcer; Father Le Thanh Que who has severe diabetes and high blood pressure; and Tran Duy Hinh, who has been hospitalized for mental disorders.

Asia Watch calls on the government to abide by its obligations under international law and:

- 1) release all persons detained for the peaceful expression of their views or the practice of their religion, in accordance with Article 19 and 18 of the ICCPR;
- 2) ensure that all persons arrested are informed of the reason for their arrest and the charges against them and they are tried without undue delay, in accordance with Article 14 of the ICCPR;
- 3) ensure that all those arrested are able to communicate and consult with legal counsel, that they are allowed to be visited by and correspond with members of their families, and that they have adequate opportunity to communicate with the outside world, in accordance with Principles 17, 18 and 19 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (adopted by UN General Assembly Resolution 43/173 of December 9, 1988);
- 4) provide ill detainees with the necessary treatment and medical care free of charge in accordance with Principle 24 of the Body of Principles mentioned above.

I. Arrested Writers and Political Dissidents

• **Duong Thu Huong**, one of Vietnam's best-known modern authors, was arrested in Hanoi on April 14, 1991, on charges of "gathering and siphoning abroad documents detrimental to state security."⁵ According to her friends, the documents in question were opinions written to Party leaders commenting on the policies to be discussed at the upcoming Seventh Party Congress. As of early May, she was being held for questioning in a villa belonging to the Interior Ministry in Hanoi.⁶

Duong Thu Huong, 43, is a leading member of Vietnam's new generation of writers and a member of the executive committee of the Viet Nam Film Association. Her novels, such as *Beyond Illusions* and *Paradise of the Blind*, have often touched on politically sensitive themes. Although a long-time Party member, Duong Thu Huong in recent years became a vocal advocate of greater democracy and freedom, and in July 1990 left the Party as a protest.

⁴ Examples are Doan Quoc Sy, Thich Tue Sy, Thich Tri Sieu and Tran Vong Quoc, whose trials did not meet minimal standards of fairness and impartiality. See Amnesty International, *Vietnam: "Renovation" (Doi Moi), the Law and Human Rights in the 1980s*, February 1990, ASA 41/01/90.

⁵ UPI, "Vietnam Arrests Leading Writer," April 30, 1991.

⁶ Reuters, "Vietnamese Writer and American Man Arrested in Hanoi," April 19, 1991.

• **Dr. Bui Duy Tam**, a naturalized United States citizen since 1986, was arrested on March 30, 1991, while visiting Hanoi. He was accused of bringing in and attempting to take out documents "detrimental to state security." News reports linked his arrest to that of the writer Duong Thu Huong, whom he had visited during his trip. Dr. Bui had written an introduction to an edition of Duong Thu Huong's novel, *Paradise of the Blind*.

The authorities expelled Dr. Bui from Vietnam on May 31, 1991, after holding him incommunicado for two months. Dr. Bui, who has returned safely home to San Francisco, suffered a "light cerebral hemorrhage" in detention according to government authorities.

Dr. Bui Duy Tam, one of South Vietnam's leading medical scholars, had previously been incarcerated for "reeducation" in June 1975. He had chaired the biochemistry department at Saigon University from 1965 to 1975, headed the state medical school in Hue, and founded and directed the Minh Duc Medical School in Saigon from 1970 to 1975. He had experienced no difficulties on his two previous visits to Vietnam since his escape via Malaysia in 1980. Dr. Bui, who holds a doctorate in biochemistry from the University of California, Berkeley, is licensed doctor and a senior physician at San Quentin State Prison Hospital.

• **Le Van Tien**, an outspoken journalist and literary figure of pre-1975 South Vietnam, was arrested in Ho Chi Minh City on December 20, 1990, on the eve of his legal emigration to the United States. He had just been released the previous year from a debilitating 13 years' detention in labor camps. No charge has been formally brought against him, but sources report that he has been accused of sending his writing abroad.⁷

Le Van Tien is 70 years old and has no close relatives in Vietnam. The authorities have allowed friends to visit him and bring him food. He suffers from heart disease and requires continuous medication. When he was released from his long period of detention in 1989, he was very ill, and friends are concerned that he may not survive another period of protracted imprisonment.

• **Doan Viet Hoat**, a professor of English literature and a friend of Le Van Tien, was arrested on November 17, 1990, for unspecified "counterrevolutionary" activities. He has not been formally charged. This accusation appears to be based on nothing more than Doan Viet Hoat's acquaintance with intellectuals and writers of the pre-1975 era.

Doan Viet Hoat received a doctorate from Florida State University in 1971 and until April 30, 1975, served as vice president of Van Hanh University in Saigon. He had been imprisoned without trial from 1976 to 1988 for purported "anti-government activities," and was awaiting resettlement abroad under the Orderly Departure Program (ODP).

Asia Watch sources report that other writers from the pre-1975 era detained at the end of 1990 include **To Thuy Yen**, **Pham Duc Kham**, **Nguyen Mau** and **Pham Thai Thuy**. The circumstances of their arrests are not known.

• **Dr. Nguyen Dan Que**⁸ was arrested on June 14, 1990, for signing a public petition that called on the Communist Party to "respect the human, civil and property rights of the people" and to "adopt a pluralistic political system." He signed this petition in the name of the "High-Tide Humanist Movement," an underground association dedicated to nonviolent advocacy of human rights and political and economic reforms. Over a dozen others were arrested in conjunction with Dr. Que's detention; their names and whereabouts are not known. Dr. Que had been imprisoned from 1978 to 1988 without charge or trial for publicly demanding that Vietnam's government respect human rights. He suffers from bleeding ulcers. His family, which has not been allowed to visit him, is deeply concerned about his health.

• **Nguyen Ho** and **Ta Ba Tong** were chairman and vice-chairman respectively of the Club of Former Resistance Fighters, a group of South Vietnamese communist war heroes who during the "renovation" period were openly critical of Communist Party policies, though not of the Communist Party's leading role. In January 1990, the club called on the

⁷ For further background on Le Van Tien, see *News From Asia Watch*, "Vietnam: Repression of Dissent," March 4, 1991.

⁸ Ibid.

Party to accelerate democratic political reforms. Both men resigned under Party pressure on March 4, 1990, and were placed under house arrest shortly thereafter. Their arrests were reputed to be linked to interviews they gave a foreign journalist in March 1990. Asia Watch sources report that Ta Ba Tong was imprisoned; his current whereabouts are unknown.

- **Huynh Tan Mam**, a communist and former student leader who opposed the South Vietnamese government during the war was confined to his Ho Chi Minh neighborhood in 1990 after writing an open letter to Nguyen Van Linh calling for greater democracy.

II. The Morrow Affair – One Year Later

On April 23, 1990, U.S. business consultant Michael Morrow was arrested in Danang while helping to negotiate a hotel investment project for a group of Antwerp investors represented by Thierry Rodeynzk. **Do Trung Hieu**, a respected communist intellectual and representative of a Ho Chi Minh City architectural firm, was arrested with Morrow and Rodeynzk, and all were taken to a prison in Ho Chi Minh City. At the same time, authorities arrested several other Vietnamese associated with Morrow, among them attorney Doan Thanh Liem and Do Ngoc Long, both of whom had served as business consultants to Morrow. At least four other acquaintances of Morrow were arrested as well -- an art dealer from whom Morrow bought a painting, a newspaper editor, a physicist who shared office premises with Doan Thanh Liem, and a naval architect who provided short-term consulting services for Morrow.

Morrow reported that during his captivity his interrogators repeatedly accused him of espionage, apparently the accusation made against his Vietnamese associates as well. In April 1991, Interior Minister Mai Chi Tho defended Morrow's arrest and the expulsion of Mennonite teacher Miriam Herschberger on the grounds that they were "spies" sent to meet with "those who have different, wrong opinions so they could gather documents."⁹ Asia Watch has received reports of a news article published recently in Vietnam which reiterated that Morrow was a spy and called for his associates to be put on trial for subversion "at the earliest date." While the exact date and place of this publication have not been established, Asia Watch believes the reports of its contents are credible because the information could only have originated from official government sources. Among those named are three persons not previously known to have been detained, **Nguyen Trong Liem, Pham Quoc Toan, and Nguyen Mong Giao.**

Rodeynzk was released from detention on April 26, 1990, Morrow on May 14, 1990, and Do Trung Hieu sometime in 1991. Doan Thanh Liem and Do Ngoc Long are still imprisoned. Asia Watch believes that Nguyen Van Tan, Dang Hai Son, Nguyen Trong Liem, Pham Quoc Toan, and Nguyen Mong Giao may be currently detained as well.

- **Doan Thanh Liem**, who has been held incommunicado and without charge for nearly a year, was allowed a visit by his daughter in February 1991. His health has greatly deteriorated; although he is only 57 years old, he appeared extremely weak and stooped, and his hair had mostly fallen out or turned white. He appeared physically incapable of speech at their meeting, but communicated through sign language that he had been deprived of food and sleep and subjected to nighttime interrogation. Asia Watch believes that **Nguyen Van Tan, Dang Hai Son, Nguyen Trong Liem, Pham Quoc Toan, and Nguyen Mong Giao** are currently detained as well.

Doan Thanh Liem is a Catholic lawyer and specialist in legislative drafting. Educated at Saigon Law School, he completed 16 months' study towards a doctorate in constitutional law at Georgetown Law School. Prior to 1975, he served as chief legal counsel for South Vietnam's National Assembly and Defense Department, headed the World Council of Churches office in Saigon, directed a community development project funded by the United Nations, and volunteered with a program to aid street orphans.

In 1975, he became a member of the Ministry of Justice's Law Research Center for the Provisional Revolutionary Government of South Vietnam. In 1976, however, the government sent him to a "reeducation" camp because of his connections with the former government of South Vietnam and the U.S. Released in 1977, he returned to

⁹ Reuters, "Vietnam Official Defends Holding 100 in Re-education Camps," April 30, 1991.

his home in Ho Chi Minh City where he worked as a private tutor of foreign languages. He slowly reentered public life, joining a lawyers association, and in 1986 formed a consulting group with Do Ngoc Long that assisted Vietnamese organizations in attracting foreign investment. He resumed involvement in social welfare projects, organizing a rehabilitation center for former prostitutes.

At the time of his arrest, he was providing consulting services to Morrow for foreign investment projects with the knowledge of the authorities. As an academic exercise, Doan Thanh Liem was also engaged in revising portions of Vietnam's constitution, a project that appears in part to be the basis for his detention. Public security officials reportedly found notes on constitutional revision in his briefcase, but this project was hardly a secret; Doan Thanh Liem had earlier sent his suggestions to President Vo Chi Cong, who is also chairman of Vietnam's Council of State.

Since his arrest, Doan Thanh Liem has been accused by the party newspaper *Saigon Giai Phong* of espionage. Father Chan Tin published an article in a Catholic newsletter expressing doubt that such allegations could be true, and called for his release. Doan Thanh Liem's wife, Thuy Ngoc Nguyen, was prevented from attending her Orderly Departure Program interview by local government officials because of her husband's status. His children have also suffered: one daughter has been dismissed without cause from her job teaching high school, and a son has been expelled from medical school.

- **Do Ngoc Long** has been held in Phan Dang Luu, a particularly severe prison in the suburbs of Ho Chi Minh City. His wife was able to visit him for the first time shortly before the lunar new year. She said he appeared very demoralized from persistent police attempts to force him to "confess" to some wrongdoing.

Do Ngoc Long, age 54, is a Catholic and a native of Saigon. He was educated in Brisbane, Australia, and worked in managerial positions with the National Bank of Viet Nam and Esso prior to 1975. Do Ngoc Long also chaired an association that helped homeless teenagers during the war. After the war's end, he was a business consultant, entrepreneur and manager. He and Doan Thanh Liem had formed a group to provide business consulting services to foreign investors. At the time of his arrest, he was representing Morrow's consulting group, Hawk Mountain Ltd., in Vietnam.

- **Nguyen Van Tan** was a journalist with a right-wing Saigon newspaper prior to 1975; he spent 12 years in labor camps after the war. He has a wife and a child born since his return from "reeducation." At the time of his arrest, he had been informally employed by Morrow to carry out menial tasks. His whereabouts are not known.

- **Dang Hai Son**, of 142 Dong Khoi, Ho Chi Minh City, was a private art dealer. A relative, currently an asylum-seeker detained in Hong Kong, reported he was arrested on May 24, 1990, a month after Morrow, who had bought a painting from him. Dang Hai Son had reported to "reeducation" in 1976, but escaped from detention in 1980 and lived underground for the next eight years, sleeping outside and moving daily. In 1988 on the occasion of the release of thousands of "reeducation" detainees, he turned himself in and was sentenced to one year's house arrest. His present whereabouts are unknown.

- **Nguyen Trong Liem** is a naval architect who received his training from the Massachusetts Institute of Technology. He was detained many years for "reeducation" after 1975. He agreed in 1989 to work as consultant on a proposed project to introduce fiberglass boat-building technology to Vietnam, an area in which Liem had expertise. Although Liem had applied to emigrate from Vietnam on the ODP program, he agreed to lend his services for a short time. After six months he left Morrow's consulting group to join with a competing Hong Kong firm. He was identified in the previously mentioned Vietnamese news article as one of the members of Hawk Mountain engaged in "intelligence operations."

- **Pham Quoc Toan**, also mentioned in the news article, was editor of the Vung Tau Con Dac newspaper. He first met Morrow in March 1989 when Morrow visited Vung Tau, an area zoned for special economic development, at the invitation of highly placed local Party members. At that time Morrow was the owner of *Petroleum News*, an industry journal with wide circulation in Asia. Pham Quoc Toan and Morrow agreed to exchange copies of their publications,

and Morrow later assisted Toan in obtaining a desktop publishing system. Pham Quoc Toan is accused in the legal journal of furnishing articles on oil and gas exploration to Morrow and Luke Fogarty, who acquired *Petroleum News* in 1989.

- **Nguyen Mong Giao**, described in the article as a "former revolutionary, a graduate of Leningrad University, an instructor at the Politechnic Institute of Hanoi and a science executive for Ho Chi Minh City," was a physicist whose office was located on the same premises as that of Doan Thanh Liem. Although Morrow had met Nguyen Mong Giao casually, they had no direct business dealings. Nguyen Mong Giao sent some articles he had written on scientific breakthroughs overseas. He is accused in the article of committing treason by selling documents to a foreigner on physics research in Vietnam and the USSR.

III. Arrested Protestants

Protestant churches in Vietnam are concentrated in the south and central highlands, in particular among Montagnard minority peoples. Introduced by American missionaries, the Protestant churches are closely associated with the United States in the eyes of Vietnam's Communist Party and viewed as a potentially hostile force. In 1975, the government expelled all foreign Protestant missionaries and closed churches and church-run clinics and schools. Asia Watch sources report that the Party policy of "renovation" brought tolerance of brief Sunday services in some regions, but unauthorized attempts to teach religion, organize youth groups or hold prayer meetings are still strictly punished.

The most recent arrests reported (in May 1991) are those of **Pastors Dinh Thien Tu** and **Tran Dinh Ai**, both of whom had extensive contacts with foreign groups. Pastor Thu had begun a social work program without government approval.¹⁰

In early 1990, numerous Protestants of the Jeh minority were arrested. On Easter Sunday 1990, the authorities arrested **Pastor Nguyen Chu** and his son, **Nguyen Mao** of Gia Lai-Kontum province, where they were engaged in training Jeh religious leaders. They were charged with supporting the FULRO resistance movement. In December 1989, protestants **Y De** and **Y Thang** of the Jerai minority were detained. In October of that year the authorities also detained **Pastor B'Mah Boi**, a Jerai of Chu Pa, and two laymen. These three were required to perform hard labor for having organized a religious gathering in their home, under "administrative measures" having no basis in the Criminal Code. **Pastor Nguyen Ngoc Anh** of Dac Lac was detained in December 1989.¹¹

Arrests for home prayer assemblies took place in the southern provinces as well. In April 1990, Protestant leaders **Son** and **Minh** of the congregation of Thanh My, near Phan Rang, were arrested. Earlier, in December 1989, authorities jailed **Pastor Vo Xuan** of Bin Thuy (where three churches had been temporarily closed), and **Pastor Tran The Thien Phuoc** of Song Be province.¹²

IV. Arrested Catholics

A. The Sacerdotal Maria Movement and the Association of Humble Souls

On August 16, 1990, eleven Catholics, including **Father Nguyen Van De** and **Sister Nguyen Thi Nhi** were convicted by the Ho Chi Minh City People's Court of "spreading counterrevolutionary propaganda through religious activities" after a two-day trial.¹³ Father Nguyen Van De was sentenced to ten years' imprisonment, Sister Nguyen Thi Nhi to eight years, and seven other laymen and priests to terms of six, five and three years, with a two-year suspended sentence given to **Mgr. Nguyen Van Nam**, the bishop of My Tho, for having countenanced the other defendant's circulation of

¹⁰ "Fear of Christ," *Far Eastern Economic Review*, May 9, 1991, p. 7.

¹¹ "Arrestations chez les protestants du Centre-Vietnam," *Eglises D'Asie* No. 90, July 1990.

¹² *Ibid.* See also Anne Himmelfarb, "Vietnam's Clampdown on Religion," *The Asian Wall Street Journal*, March 22-23, 1991.

¹³ Hanoi Domestic Service, August 17, 1990, as cited in FBIS-SEA, August 20, 1990.

counterrevolutionary documents.¹⁴

According to a Party newspaper, Father Nguyen Van De was detained until 1982 for joining the Sacerdotal Maria Movement. Upon his release, he allegedly participated again in this group, described as "a reactionary organization comprised of anticommunist elements among Catholic priests worldwide."¹⁵ The group's activities consisted of translating and disseminating materials from abroad in the form of prayer books and confidential letters designed to draw Catholics into "advocating a hostile attitude toward the revolutionary administration."¹⁶ Sister Nguyen Thi Nhi was alleged to have revived the Association of Humble Souls, another "counterrevolutionary" group that had "infiltrated" Vietnam in 1954. The organization allegedly merged with the Sacerdotal Maria Movement in 1982.

B. No Repentance: The Exile of Father Chan Tin and Nguyen Ngoc Lan¹⁷

During Lent, 1990, Father Chan Tin, a well-known Catholic intellectual, preached three sermons on the theme of "repentance" which implicitly criticized the Party's record on human rights and religious freedom. In retaliation, the public security organs placed him under internal exile and his close associate, the ex-priest Nguyen Ngoc Lan, under house arrest, each for a term of three years.

On the morning of May 16, 1990, public security police sought out Father Chan Tin (secular name Nguyen Tin) at his church and Nguyen Ngoc Lan at his home. Father Chan Tin refused to sign his order of expulsion and house arrest and was immediately placed in a minibus without being allowed to take his vestments with him. The minibus, escorted by police cars and motorcycles, took him 70 kilometers away from his parish church, Our Lady of Perpetual Help in Ward 9, District 3 of Ho Chi Minh City to the Redemptorist Church in Cam Thanh village, Duyen Hai district, where he was placed under house arrest.

At the same time, public security police read Nguyen Ngoc Lan an order of three years' confinement and surveillance at his home, 256/13 Tan Phuoc Street, Ward 6, District 10, Ho Chi Minh City. He signed the order under duress, he later wrote Father Chan Tin, as one does "when confronted with red fire or a pistol in the chest." After a three-hour search of his home, the public security police confiscated numerous papers, documents, 74 classical music cassettes and a video.

The measures enforced against the two Catholics were widely publicized as an object lesson in the official press and radio. The two were described as having transgressed various provisions of the Criminal Code, in particular Article 82, "the crime of anti-socialist propaganda" and Article 81, "causing divisions between the religious and non-religious and separating religious followers from the people's government and social organizations." Despite this token reference to legality, the public security administration has punished Chan Tin and Nguyen Ngoc Lan without trial or court order, in plain contravention of Vietnam's Criminal Code (Article 2) and Law on Criminal Procedures (Article 10).

Father Chan Tin was the leader of a prison reform movement under the Thieu regime and chief editor of *Doi Den* (Face to Face), a semi-underground Catholic journal strongly critical of the government. After 1975, he served as a co-chair of the Central Committee of the Fatherland Front, a communist umbrella group for religious organizations. Nguyen Ngoc Lan, Father Chan Tin's close friend and a leading Catholic intellectual and author, was also a moving force behind *Doi Den*. He has a wife and daughter.

Father Chan Tin, in exile, wrote friends, "I always struggled for the people under the old regime, and it was always on their behalf that I asked the State and the Party to repent their ways. The expulsion of Chan Tin is not a sign of

¹⁴ "Condamnés pour "spiritualité contre-révolutionnaire," *Églises D'Asie*, No. 99, November 16, 1990.

¹⁵ *Saigon Giai Phong*, August 16, 1990, as cited in FBIS-SEA, September 25, 1990.

¹⁶ *Ibid.*

¹⁷ Père Ho Dinh, "Affaire Chan Tin - Ngoc Lan," *Églises D'Asie* Supplement EDA No. 99, November 1990, (report based partly on correspondence from Chan Tin and Nguyen Ngoc Lan) and *Saigon Giai Phong*, May 17, 1990, p. 1.

repentance." Asia Watch sources report he was moved in April 1991 to Can Giuoc, a remote area of Ho Chi Minh City that is off-limits to foreigners.

V. Long-term Prisoners

- **Tran Vong Quoc** was tried with his two brothers, Tran Tu Thanh and Tran Tu Hyen on December 31, 1988, and convicted of attempting to pass information to international human rights organizations. He was sentenced to 12 years imprisonment; his brothers have since been released. Tran Vong Quoc is the son of the well-known human rights lawyer and legislative opposition leader Tran Van Tuyen, who died in labor camps in 1976. Tran Vong Quoc has been transferred from Ho Chi Minh City to a camp in Ham Tan, Thuan Hai province. His medical condition is of concern, as he suffers from anemia, beri-beri, malnutrition, skin sores, kidney stones and edema. The authorities have refused him permission to be treated in a hospital, so his family has tried to supply him with medications despite the lack of an adequate medical diagnosis.

- **Doan Quoc Sy**, a novelist and professor, was arrested on May 2, 1984, along with at least 10 other writers. His writings have been banned by the communist government since 1975, and he spent 1976 to 1980 in "reeducation." He received the heaviest sentence (eight years imprisonment) in the April 1988 trial of six writers, all of whom were convicted of "carrying out counterrevolutionary propaganda with intent to overthrow the government" and receiving funds from abroad for the purpose of sending writing out of the country. Doan Quoc Sy was last known to be held in Camp Z30A in Xuan Loc, Dong Nai province.

- **Nguyen Chi Thien**, a 49-year-old poet, has spent the majority of his life in jail. His latest arrest was April 2, 1979, after passing his poems and a letter requesting their publication to a foreign diplomat. The poems were ultimately published under the title *Flowers from Hell*. From the time of his first detention in 1958 to his latest, he has never received a trial. His health is reported to be poor.

- **Tran Duy Minh**, 52, has been imprisoned for "reeducation" since 1975. A journalist and author of some 30 novels, Tran Duy Minh also served as an officer in the South Vietnamese army and was attached to the South Vietnamese counter-intelligence agency. According to Amnesty International,¹⁸ in 1990 he was transferred from Ham Tan Camp to Cho Quan Hospital, where he was admitted for treatment of mental illness. He is in solation in the hospital without access to any visitors.

- **Ly Truong Tran**, a former congressman and member of South Vietnam's Quoc Dan Dang party, was arrested on May 13, 1987, at his home in Ho Chi Minh City. His activities as the political advisor to the Vietnam Democracy and Liberty Party led to his detention. He received a pre-trial hearing in Ho Chi Minh City on December 26, 1987. After his trial on July 25, 1988, on charges of opposing the government, he was sentenced to 16 years hard labor. He is currently detained at Ham Tan camp, Group 34, K2-CT Z30C, Thuan Hai province. Ly Truong Tran, who is 64 years old, suffers from backache, rheumatism and blurry vision. Despite his advanced age and poor health, he must perform hard labor such as planting trees, cutting wood and feeding livestock. His family is permitted to visit him once every three months and bring him a few kilograms of food. Prior to this detention, the authorities had incarcerated him for "reeducation" from June 1975 to late 1979.

- **Father Le Thanh Que** and Jesuit Superior **Father Joseph Nguyen Cong Doan** were among nine Jesuit priests arrested in late 1980 early 1981 when the government closed the Duc Lo Center for the Society of Jesus. At their trial on June 29 and 30, 1983, they were charged with disseminating counterrevolutionary propaganda and plotting to overthrow the government, most likely for their writings in the journal *Dao Nhap They* (Religion Incarnate). Father Joseph Nguyen Cong Doan was released from labor camp on February 21, 1990, but as of early 1991 was still under restrictions and not allowed to celebrate Mass. Father Le Thanh Que, sentenced to 15 years in prison, is believed to be held at camp Z30A in Xuan Loc district, Dong Nai province. He is reported to be seriously ill, with severe diabetes, high blood pressure, possible psychological disturbances.

¹⁸ "Medical Concern," ASA 41/02/91

• **Thich Quang Do and Thich Huyen Quang** are leading monks in the Unified Buddhist Church who spoke out against human rights violations, religious persecution and state control over Buddhist institutions. They were arrested on February 25, 1982, and banished to their native villages in central Vietnam. Three weeks later, Thich Quang Do's 90-year-old mother was also arrested. The two monks are still exiled in Vu Thu Vu Doai Thai Bing and Quang Ngai, respectively.

• Monks **Thich Tue Sy** and **Thich Tri Sieu**, leading Buddhist intellectuals, were arrested in April 1984 together with at least 10 other monks and nuns from the Gia Lam and Van Hanh pagodas in Ho Chi Minh City. The two were engaged in compiling a Vietnamese Buddhist Encyclopedia at the time of their arrest. In a widely publicized trial in September 1988, they and 19 others were convicted of engaging in activities aimed at "overthrowing the people's government" including attempting to establish an armed counterrevolutionary force. Both monks denied the charges and were sentenced to death. These sentences were later commuted to 20 years' imprisonment. Thich Tri Sieu was last reported held in Z30A camp in Xuan Loc, Dong Nai province. Thich Tue Sy was transferred to camp 20A, Phu Khanh, in the jungle area.

• **Thich Duc Nhuan**, a Buddhist monk and scholar was arrested on August 6, 1985, at his pagoda at 716 Dien Bien Phu Street in Ho Chi Minh City. He was tried with Thich Tue Sy and other Buddhists in September 1988 and sentenced to ten years' imprisonment. In early 1989, he was transferred to Z30A reeducation camp in Xuan Loc district, Dong Nai province. Thich Duc Nhuan is the author of many books on Buddhism, former secretary of the council of Sacerdotal of the Unified Buddhist Church of Vietnam and an editor of *Van Hanh*, which was published between 1964 and 1975. He is approximately 63, asthmatic, and he suffers from a stomach ulcer which hemorrhages.

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News From Asia Watch is a publication of Asia Watch, an independent organization created in 1985 to monitor and promote internationally recognized human rights in Asia. The chairman is Jack Greenberg, the vice-chairs are Harriet Rabb and Orville Schell, and the executive director is Sidney Jones.

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